

REMARKS

Claims 1 through 41 are now pending in the application. Claims 27 through 41 are withdrawn. Claims 1, 5, 9, 18, and 22 are herein amended. Claims 7, 19, and 23-26 are herein canceled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1 through 26 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

It is noted Claims 7, 19, and 23-26 are herein canceled, rendering the 35 U.S.C. § 112, second paragraph rejection of Claims 7, 19, and 23-26 moot.

Claims 1, 5, 9, 18, and 22 are amended herein to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The remaining rejected Claims depend from one of the amended independent Claims 1, 9, or 18 and should therefore be in condition for allowance. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 112, second paragraph rejection of Claims 1 through 6, 8 through 18, and 20 through 22.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 through 17 and 23 through 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Marriott et al. (U.S. Pat. No. 6,676,195) in view of Puckett et al. (U.S. Pat. No. 5,409,779). This rejection is respectfully traversed.

It is initially noted the subject matter of Claim 7 has been substantially included in amended Claim 1 and Claim 7 has been herein canceled, rendering the 35 U.S.C. § 103(a) rejection of Claim 7 moot. Claims 23-26 have also been herein canceled, rendering the 35 U.S.C. § 103(a) rejection of Claims 23-26 moot. Claim 1 has been amended to recite in part:

“at least one rib defining the raised element extending outwardly from a first face of the barrier film, the rib operably positioned proximate an outer perimeter of the film, the rib including:

a substantially non-deflectable flat engagement surface;

a pair of opposed walls each connected between the engagement surface and the barrier film; and

a width of the engagement surface selectable to ensure each of the opposed walls deflects outwardly with no substantial deflection of the engagement surface when the engagement surface contacts a vehicle surface; and

at least one drawn form positioned proximate the at least one rib and extending outwardly from a second face of the barrier film, the second face directed opposite to the first face;

wherein the width of the engagement surface of the rib defines a seal without the use of a sealing material between the engagement surface and a first body member of a vehicle, the drawn form operably enhancing formation of the seal.”

Support for this amendment is found in paragraphs [0040] and [0041] of the specification.

In direct contrast to amended Claim 1, Marriott et al. teach “a raised, deflectable attachment surface 30 is provided in a continuous or substantially continuous manner with none, one or multiple discontinuities generally about the peripheral extent of the inner surface of the water shield 20.” See column 4, lines 54-58. “For the raised surface 30 which has a generally inverted U-shape with respect to the main extend of the water shield 22, the deformation occurs in the side walls 38 and 40 and in the surface of end wall 32.” See column 5, lines 11-14. Other embodiments of Marriott et al. teach “a side wall 56 ... selected to place the adhesive bead 26 in a straight wall 54”, which upon interference with the inner door panel 14, “causes a deflection in the straight wall 54” (see column 5, lines 54-59); an S-shape 60, “the entire S-shape surface 60 cantilevered or projects moveably outward from the door inner trim panel 18” which “has a restorative force after initial deflection”, (see column 5, line 63 to column 6, line 3); a U-shaped section 64 having a straight wall section 70 which “provides the deflection characteristics of the S-shaped section 60.” (see column 6, lines 14-18); or an attachment surface 82 which “will deflect under attachment pressure” (see column 6, lines 53-54). Marriott et al. also teach an adhesive bead 26 used at each location of raised surface 30, straight wall 54, and S-shaped surface 60 having straight wall section 70.

Marriott et al. therefore does not teach or suggest a substantially non-deflectable flat engagement surface of amended Claim 1.

Puckett et al. teach “a barrier 16 cold-formed to include a plurality of bulges or pockets 18.” See column 2, lines 41-42. The preferred pocket 18 is “cone-shaped”. See column 3, lines 32-33. “The pocket is collapsible to lie essentially in the plane of the sheet and extendable in a direction away from the sheet.” See column 3, lines 46-48.

Puckett et al. therefore teach away from a substantially non-deflectable flat engagement surface of amended Claim 1.

The suggested modification of Marriott et al. and Puckett et al. therefore cannot render amended Claim 1 obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 1. Because Claims 2-6 and 8 depend from Claim 1, the suggested modification of Marriott et al. and Puckett et al. cannot render any of Claims 2-6 or 8 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 2-6 and 8.

The suggested modification of Marriott et al. and Puckett et al. cannot render amended Claim 8 obvious for at least the following reasons. Claim 8 has been amended to recite in part:

“a generally rectangularly shaped body including:

a first substantially flat section elevated from the barrier film; and

a second substantially flat section elevated above the first elevated section with respect to the barrier film.”

Support for this amendment is found in paragraph [0043] of the specification and in Figures 13-14.

The references of Marriott et al. and Puckett et al., individually or in combination, do not teach or suggest a rib extending outwardly from a first face of the barrier film having a generally rectangularly shaped body including a first substantially flat section elevated from the barrier film and a second substantially flat section elevated above the first elevated section with respect to the barrier film.”

It is further noted Claim 9 has been amended herein to similarly recite a substantially non-deflectable flat engagement surface with a width of the engagement surface selectable to ensure each of the opposed walls deflects outwardly with no deflection of the engagement surface when the engagement surface contacts a body member of a vehicle. For at least the same reasons as noted above with respect to Claim 1, the suggested modification of Marriott et al. and Puckett et al. therefore cannot render amended Claim 9 obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 9. Because Claims 10-17 depend from Claim 9, the suggested modification of Marriott et al. and Puckett et al. cannot render any of Claims 10-17 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 10-17.

Claims 18 through 22

Claims 18 through 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Marriott et al. (U.S. Pat. No. 6,676,195) in view of Puckett et al. (U.S. Pat. No. 5,409,779), and in further view of Koa et al. (U.S. Pat. No. 6,412,852). This rejection is respectfully traversed.

It is initially noted Claim 19 has been herein canceled, rendering the 35 U.S.C. § 103(a) rejection of Claim 19 moot.

In addition to the above discussion of Marriott et al. and Puckett et al., Koa et al. appears to teach “an interior trim panel 20 is arranged on the interior surface of the door panel.” See column 4, lines 66-67. “The interior trim panel is normally connected to the inner surface of the exterior door panel, that is, to the inner surface formed by the shell 13” using fastener members 25. See column 5, lines 21-24. A “barrier panel sheet 36 has an outer surface 37 which is arranged toward the exterior door panel, and in an inner face 38 which is arranged towards the trim panel.” See column 5, lines 48-50. “To install or assemble the module upon the exterior door panel, the outer face of the barrier sheet 36 is provided with a substantially continuous, pressure sensitive adhesive stripe or bead 45.” See column 6, lines 3-6. “The module is securely fastened to the door panel by the stripe of adhesive, the dabs of adhesive along the upper edge of the sheet and the mechanical fasteners 25.” See column 7, lines 14-17.

Koa et al. therefore does not teach or suggest a raised rib operable to form a seal between the composite sheet and a vehicle body member having a substantially non-deflectable flat engagement surface, a width of the engagement surface selectable to ensure each of the opposed walls deflects outwardly with no substantial deflection of the engagement surface when the engagement surface contacts a vehicle surface.

The suggested modification of Marriott et al., Puckett et al., and Koa et al. therefore cannot render amended Claim 18 obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 18. Because Claims 20-22 depend from Claim 18, the suggested modification of Marriott et al., Puckett et al.,

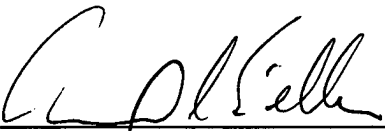
and Koa et al. cannot render any of Claims 20-22 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 20-22.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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